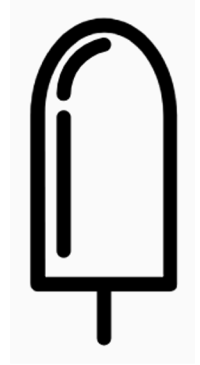


Copyright & OER “Lite”!



a shortened introduction to copyright and open licenses
for authors and curators who have sharing in mind

A work in progress by **Anita Walz** arwalz@vt.edu @arwalz
Assistant Director of Open Education and Scholarly Communication Librarian, University Libraries at Virginia Tech
“I Can’t Believe It’s Not Ice Pops” June 25, 2021
[International Copyright-Literacy Event with Playful Opportunities for Practitioners and Scholars]



Open Educational Resources

Open Educational Resources (OER) are freely and publicly available teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license that permits their free use, reuse, modification, and sharing with others.

They include full courses, course materials, modules, textbooks, streaming videos, tests, software, and any other tools, materials, or techniques used to support access to knowledge." - [Hewlett Foundation](#)

Why this presentation?



Visual reinforcement, fun, repetition, and inviting inquiry

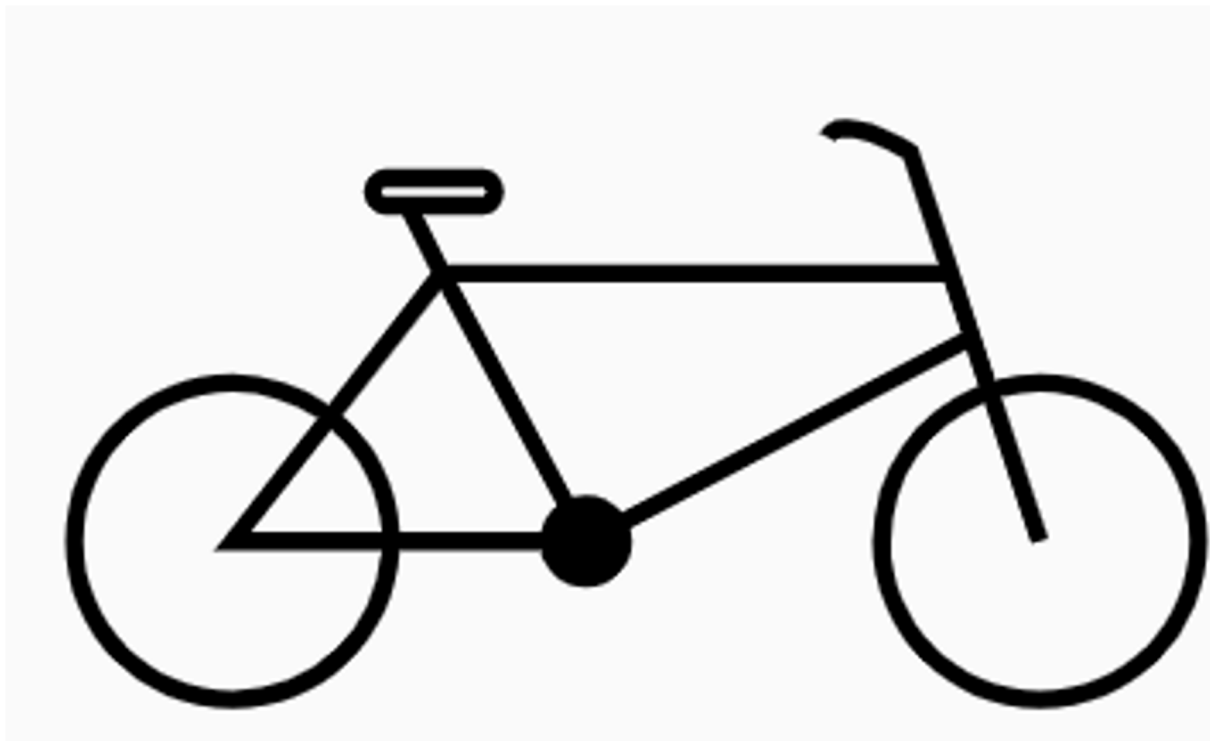


-> Learning!
+ Retention, I hope.

Learning objectives

- Describe **what can be under copyright**, **how** it gets there, and that **copyright lasts a long time**.
- Apply the following information: *Everything is created by someone – and much it is still owned by someone.* – to contexts that matter (e.g. **student work** and **things we find “free online”**).
- Locate and interpret the “**terms of use**” for example items
- Identify different formats/displays of **Creative Commons licenses** on works found on the web / or items in the wild
- List **five allowable cases in which** something can be incorporated into one’s OER
 - Demonstrate ability to identify what clearly can be used, and what is still murky [the edges of one’s knowledge]
 - Identify next “need to know” items
- Articulate that **marking** and **citing** public domain, fair use, used-with-permission/released under an open license, and **attributing** CC-licensed works is important, even if one does not yet have this skill.

Making it personal. Who owns a bicycle?



Two Dilemmas when creating with sharing (open licensing) in mind

1. May I use portions **of others' original works** in my open educational resource? How do I do this legally, ethically, and technically?
1. I want others to use my work in flexible ways. Of what do I need to be mindful when planning to **create and share my work**?



What are copyrights?

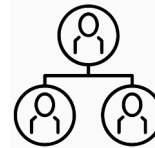


A bundle of different rights authors **automatically get** from creating original works. Relevant here:

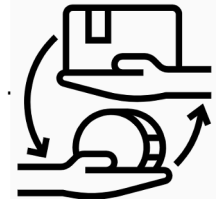
- Copy
- Create copies with changes
- Distribute

Unlike vegetables, **copyrights last your whole life**

+ 70 years



A commodity: The author may retain, sell, donate, and/or license irrevocably - or for limited times or uses parts of or the whole bundle.



By the way . . . these rights are **exclusive** to the creator



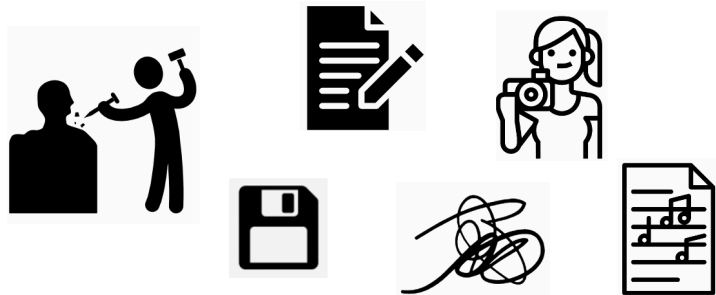
At the point of creation, an author has a time-bound monopoly over a bundle* of different rights. Authors **automatically get** from creating original works. Relevant here:

- Copy
- Create copies with changes
- Distribute

* a few other rights exist that are not discussed here

How copyrights are created

Automatically in copyright when made



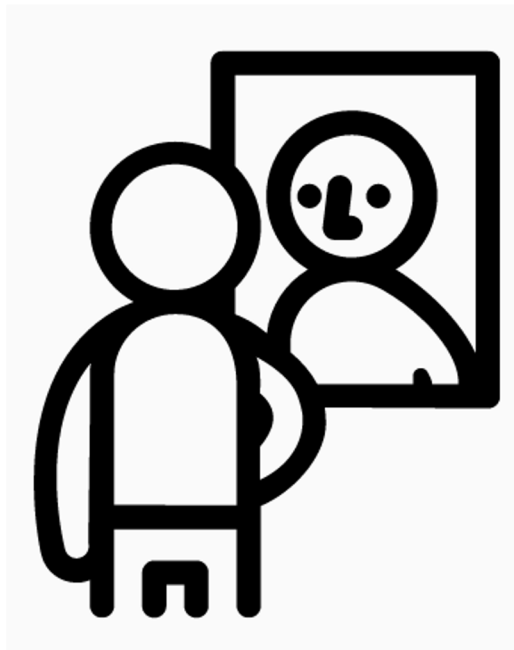
Creative works in a fixed medium
(even when a © mark is not added!)

Not in copyright

- Ideas, facts (data*), common knowledge
- Narrative, image, song... that you don't record
- Works clearly donated to the Public Domain
- Published in the US pre-1925*
- Created by U.S. Government employees*

Who is a copyright holder?

- **You** are!
- Your **students**
- **People and organizations** that created things you read, watch, and listen to in any medium, including **the internet**.



Categorizing works you may want to integrate into your own

My original work



If you did not sell or give away exclusive rights, use it as you wish.

Someone else's work



Do you have enough rights to justify your use? You'll need to research the terms of use for this item.

Uh oh

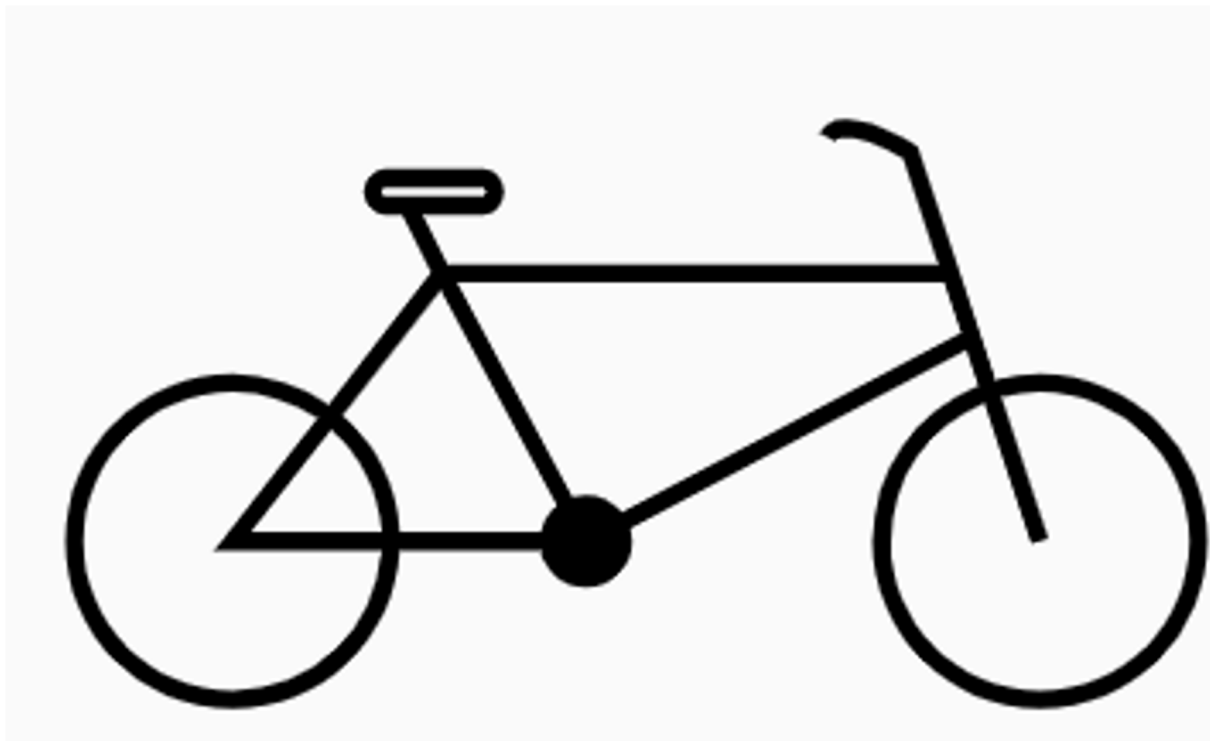
Works marked as Public Domain or created by a U.S. Gov Employee, or published in the U.S. pre 1925



Use it as you wish [in the U.S.]

Citing your source is good scholarly practice but not legally required.

Making it personal. Who owns a bicycle?



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Assume © unless otherwise noted



The terms of use (if there are any) may permit your use.

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Use it as you wish [in the U.S.]

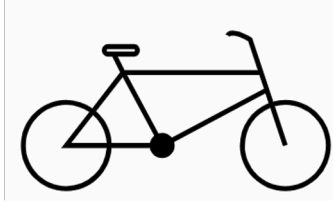
Citing your source is good scholarly practice but not legally required.

Why we are such big fans of open licenses

Unlimited ice cream cones
(aka non-rivalrous goods)



What to do when you don't have enough rights (or are not sure that you have enough rights)



Obtain **permission**. When, where, how much + may I release this under the same open license as my work?

Consider asserting a **fair use***. Use **less, smaller, lower resolution**. . . **only as much as is necessary**.

Use a work in a different or **transformative*** way than it was intended. **Add value** to the work.

Look for **alternatives**: Find openly-licensed or Public Domain equivalent material that meets the same need.

Create original work. Take **your own** picture. Make **your own** drawing. Put the idea in **your own** words. [and cite it!]

A work in progress. . .

Comments and suggestions are welcome.

Anita Walz arwalz@vt.edu